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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 BORLONG BAI, a.k.a. RICHARD BAI,

19 Defendant.

Case No.: CR 09-0110-5 (SI)

20 **STIPULATION AND [PROPOSED]**
21 **ORDER TO EXTEND TIME FOR**
22 **DEFENDANT TO FILE OPPOSITION**
23 **TO MOTION REGARDING CO-**
24 **CONSPIRATOR STATEMENTS AND**
25 **ADMISSIONS OF A PARTY-OPPONENT**

26 Hearing Date: September 10, 2013
27 Judge: Hon. Susan Illston
28 Courtroom: 10

Pretrial Conference: September 10, 2013
Trial Date: September 23, 2013

1 **WHEREAS**, on August 8, 2013, the United States filed a motion regarding co-conspirator
2 statements under Fed. R. Evid. 801(d)(2)(E) and admissions of a party-opponent under Fed. R.
3 Evid. 801(d)(2)(A) (“the Motion”);

4 **WHEREAS**, Defendant Richard Bai’s opposition to the Motion is due on August 15,
5 2013;

6 **WHEREAS**, Defendant Richard Bai requires an extension of two court days to adequately
7 review the materials underlying the Motion and to respond to it;

8 **WHEREAS**, the United States does not object to the requested extension of time for Mr.
9 Bai to file a response to the Motion;

10 **IT IS HEREBY STIPULATION AND AGREED** by and between the United States and
11 Mr. Bai, and their respective counsel, that:

- 12 1. Mr. Bai shall file his opposition to the Motion on Monday, August 19, 2013;
13 2. The United States shall file its reply in further support of the Motion, if any, on
14 Monday, August 26, 2013; and
15 3. The hearing on the Motion shall remain September 10, 2013 at 10:00 a.m.

16 **IT IS SO STIPULATED.**

17 Dated: August 14, 2013

SHEARMAN & STERLING LLP

19 By: /s/Patrick D. Robbins

20 PATRICK D. ROBBINS

21 *Attorney for Defendant Richard Bai*

22 Dated: August 14, 2013

23 U.S. DEPARTMENT OF JUSTICE, ANTITRUST
DIVISION

24 By: /s/Heather S. Tewksbury

25 HEATHER S. TEWKSBURY

26 *Attorney for the United States*

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PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS SO ORDERED.

Dated: August 152013



HONORABLE SUSAN ILLSTON
United States District Judge

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DATED: August 14, 2013

PATRICK D. ROBBINS